

86th Legislative Session – 2011

Committee: Senate Judiciary

Thursday, February 24, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Begalka
P Hunhoff (Jean)
P Nygaard
P Vehle
P Buhl
P Cutler, Vice-Chair
P Tieszen, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Craig Tieszen, Chair.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 22, 2011

Moved by: Hunhoff (Jean)
Second by: Buhl
Action: Prevailed by voice vote.

HB 1184: limit the subrogation of certain insurers unless and until the insured is fully compensated.

Presented by: Senator Joni Cutler (Handouts: #1)
Proponents: Representative Brian Gosch
Representative Susan Wismer
Michael DeMersseman, self, Rapid City

Opponents: Justin Smith, Wellmark Blue Cross Blue Shield
Daran Kiefer, National Association of Subrogation Professionals (#2)
Kammy Poff, Allstate Insurance Company
John Foster, State Farm Insurance Companies
Travis Jones, De Smet Farm Mutual Insurance Company of SD
Dennis Duncan, Dakotacare
Dave Hewett, SD Association of Healthcare Organizations
Margo Northrup, SD Defense Lawyers Association.
Lindsey Riter-Rapp, National Federation of Independent Business

Dean Krogman, SD State Medical Association
Deb Fischer Clemens, Avera Health
Mike Mores, Farmers Insurance
Dick Tieszen, SD Associated School Boards
Jim Hutmacher, SD Coalition of Schools/SD Mid-Size School Organization
Mike Shaw, Property Casualty Insurance Association of America
American Family Mutual Insurance Company
Drew Duncan, SD Insurance Alliance
SD Association of Mutual Insurance Companies
Mark Johnston, National Association of Mutual Insurance Companies

MOTION: DO PASS HB 1184

Moved by: Nygaard
Second by: Buhl
Action: Failed by roll call vote. (3-4-0-0)

Voting Yes: Nygaard, Buhl, Cutler

Voting No: Begalka, Hunhoff (Jean), Vehle, Tieszen

MOTION: DEFER HB 1184 TO THE 41ST LEGISLATIVE DAY

Moved by: Hunhoff (Jean)
Second by: Vehle
Action: Prevailed by roll call vote. (4-3-0-0)

Voting Yes: Begalka, Hunhoff (Jean), Vehle, Tieszen

Voting No: Nygaard, Buhl, Cutler

THE CHAIR DEFERRED HB 1067, HB 1154, and HB 1069 UNTIL TUESDAY, MARCH 1, 2011

MOTION: ADJOURN

Moved by: Vehle
Second by: Hunhoff (Jean)
Action: Prevailed by voice vote.

Rena Ortbahn
Committee Secretary

Craig Tieszen, Chair